

03500.017686

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
TAKEAKI ITSUJI ET AL.	:	Examiner: Not Yet Assigned
)	
Application No.: Not Yet Assigned	:	Group Art Unit: Not Yet Assigned
)	
Int'l Application No.: PCT/JP03/12422	:	
)	
Int'l Filing Date: September 29, 2003	:	
)	
For: OPTICAL ELEMENT WITH	:	
PERIODIC STRUCTURE	:	January 21, 2005

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Since the U.S. Patent and Trademark Office waived the requirement under 37 C.F.R. § 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications and for all international applications that have entered the national stage under 35 U.S.C. § 371, no copies of such documents are enclosed. Copies of the other listed documents are enclosed.

This Information Disclosure Statement is, in part, to make of record documents cited in the International Search Report, in the Written Opinion and in the International Preliminary Examination Report (IPER) in the international application of

which the subject application is a national stage. Copies of the Search Report, the Written Opinion and the IPER are enclosed.

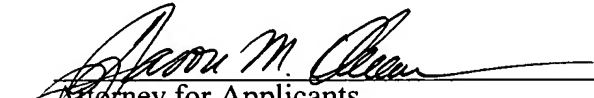
The concise explanation of relevance for the non-English document may be found, inter alia, in the English language abstract attached thereto, in the International Search Report, in the Written Opinion and/or in the IPER.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


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FORM PTO 1449 (modified) ~ U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)		ATTY DOCKET NO. 03500.017686		APPLICATION NO. N.Y.A./226 Nat'l Stage of JP03/12422 24 JAN 2005	
APPLICANT Takeaki Itsuji et al.		FILING DATE September 29, 2003		GROUP N.Y.A.	

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		2002/0048422 A1	04/25/02	Cotteverte et al.	385	4	
		2002/0021878 A1	02/21/02	Allan et al.	385	129	
		2002/0135863 A1	09/26/02	Fukshima et al.	359	298	

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO/ OR ABSTRACT
	JP	10-253829	09/25/98	Japan			Abstract
	EP	1 243 966 A2	09/25/02	Europe			
	WO	02/14913 A1	02/21/02	International			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Sungwon Kim et al., "Strain-Tunable Photonic Band Gap Crystals," 78(20) Appl. Phys. Lett. 3015-17 (May 2001).

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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